

REMARKS/ARGUMENTS

Claims 1-45 are pending. Claims 21-45 are withdrawn from consideration due to the Examiner's previous Restriction Requirement. Applicants note that the phrase "said cross-linked first organic layer" recited in original claim 1, line 7, lacks antecedent basis. Therefore, Applicants now amend claim 1 to correct this defect. The amendment is formal in nature. No new matter is added. Reconsideration of the present application in view of the above amendment and the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gupta et al., U.S. Patent No. 7,132,788. Claims 1-20 are also rejected under 35 U.S.C. § 102(e) as being anticipated by Stegamat et al., U.S. Patent Application Publication No. 2004/0265623.

Applicants respectfully traverse.

Claim 1, the only independent claim among claims 1-20, covers the broadest scope of the present application: It reads:

1. An organic electronic device, comprising:
a deposition surface;
a first organic layer, said organic layer fabricated by selectively depositing a first organic solution over said deposition surface, further wherein said first organic solution is cross-linked to render said first organic layer cross-linked and insoluble; and
a second organic layer, said second organic layer fabricated by selectively depositing a second organic solution over said cross-linked first organic layer and enabling said second organic solution to dry without dissolving said first organic layer.

(Emphasis supplied.)

Gupta et al. disclose a method of fabricating OLED devices, wherein organic material is deposited to pockets defined by bank structures and allowed to dry. The shape

of photoresist layer banks are optimized to provide a more uniform drying profile (see for example col. 4, lines 10-14). In particular, Gupta et al., disclose explicitly that “[t]he organic substances are allowed to evaporate and dry into layers and the fabrication process is continued. For instance, in an OLED display, both a conducting polymer substance and an emitting polymer substance may be deposited into a pocket that is defined by the optimized banks and allowed to dry into a conducting polymer layer and an emitting polymer layer.” (See col. 5, lines 31-37). Further, Gupta et al. teach that “[t]he dried film then represents the conducting polymer layer.” (See col. 8, line 60.)

Gupta et al., however, fail to teach cross-linking either the conducting polymer layer or the emitting polymer layer. Rather, Gupta et al. teach drying the organic layers and then continuing the fabrication process. As explained in the specification of the present application “each polymer solution which is deposited remains soluble even after drying” (see, e.g., paragraph 0008 of the publication of the present application); “cross-linked (or ‘cross-linkable’) polymer is a polymer which has been modified by the addition of a chemical group which chemically reacts with the original polymer to create side-chains which can alter the polymer’s properties” (see paragraph 0009 of the publication of the present application); and “cross-linking of the deposited solution (film) will cause the film to become insoluble “ (see paragraph 0024 of the publication of the present application).

Therefore, Gupta et al. fail to teach a first organic layer which is cross-linked and insoluble. The organic electronic device as claimed in the present application is different from that disclosed in Gupta et al. in structure and properties, irrespective of the process of making the organic electronic device.

We note that when assessing the patentability of the present invention, the Examiner appears to ignore all of the limitations concerning the preparation of the first and second organic layer including the cross-linking of the first organic layer. The Examiner cites MPEP 2113 concerning product by process claims. In this regard, Applicants would like to direct the Examiner's attention to the following instruction set forth in MPEP 2113:

The structure implied by the process steps should be considered when assessing the patentability of product-by-process claims over the prior art, especially where the product can only be defined by the process steps by which the product is made, or where the manufacturing process steps would be expected to impart distinctive structural characteristics to the final product. See, e.g., *In re Garnero*, 412 F.2d 276, 279, 162 USPQ 221, 223 (CCPA 1979) (holding "interbonded by interfusion" to limit structure of the claimed composite and noting that terms such as "welded," "intermixed," "ground in place," "press fitted," and "etched" are capable of construction as structural limitations.)

(Emphasis supplied.)

Similar to the term "welded," "intermixed," "press fitted," as noted above, "cross-linked" recited in claim 1 is capable of construction as structural limitation and therefore should be considered.

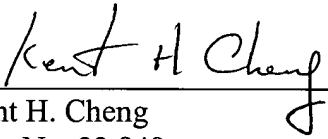
Because Gupta et al. fail to teach a first organic layer, which is cross-linked and insoluble, none of claim 1 and its dependent claims 2-20 is anticipated by Gupta et al. under 35 U.S.C. §102. See MPEP 2131, quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.")

Stegamat et al. teach an OLED device with a conducting polymer material which is comprised of a PEDOT:PSS solution with variable ratio of the PEDOT content to the PSS content (see, e.g., paragraph 0016). Stegamat et al., however, are silent about treating the conducting polymer material after depositing on a substrate. Nothing in Stegamat et al. discloses or suggests cross-linking a first organic solution to render the first organic layer cross-linked and insoluble. Therefore, Stegamat et al. also cannot anticipate any claims 1-20 under 35 U.S.C. 102.

Based on the foregoing, Applicants believe that the present application is in condition of allowance. Early and favorable consideration is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By 
Kent H. Cheng
Reg. No. 33,849
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: March 12, 2007

27087